

### **Remarks**

This paper is filed in response to the Office Action mailed October 5, 2006. A response to the Office Action was due on January 05, 2007, with extensions of time available through April 5, 2007. Applicant is filing this response with a three-month extension of time; therefore, this response, filed on or before April 5, 2007, is to be considered timely.

Claims 61-126 are pending in the application. Claims 1-60 were previously canceled without prejudice or disclaimer. Claim 61 stands rejected. Claims 62-85, 90, and 112-126 are objected to as being allowable but for their dependence on a rejected base claim. Claims 86-89 and 91-111 are withdrawn from consideration by the Examiner because of the restriction requirement. Claims 86 and 89 been canceled by this amendment. Claims 87-88 and 90-111 have been amended only as to form to render them suitable for rejoinder and allowance. Claim 61 has been amended for the reasons discussed below. Support for these amendments may be found in the specification at pages 3-5 and 37-41. Claims 127-129 are new. Support for claim 127 (co-administration of or use in combination with montelukast sodium (Singulair™), zafirlukast (Accolate™), or albuterol) may be found in the specification, e.g., at page 4, the paragraph beginning at line 26. Support for new claim 128 may be found in the specification, e.g., at pages 2-3. Support for new claim 129 may be found in the specification, e.g., at page 2-3 and 31. No new matter has been introduced by the amendment.

### **Request for Reconsideration, Rejoinder, and Allowance**

Claim 61 stands rejected under 35 U.S.C. 102(b) as being anticipated by Joseph, K. Abraham, et al., 1993:1-2748 (1993), for its disclosure of the compound RN 145874-63-1. Claim 61 also stands rejected under 35 U.S.C. 102(b) as being anticipated by Malichenko, B.F., et al., 1975:409408 (1975), for its disclosure of the compound RN 55709-49-4. No other grounds of


rejection are pending. Copies of the corresponding full text articles are included with this response for the Examiner's convenience.

Applicants respectfully submit that each of these rejections is moot in view of the amendment to claim 61 and that the entire scope of claim 61 is free of the prior art. Moreover, Applicants respectfully point out that claims 62-127 depend from or otherwise include all of the limitations of claim 61 and any intervening claims, and that new independent claims 128-129 are free of the prior art. There being no remaining grounds for rejection or objection, Applicants respectfully request the Examiner to rejoin of all previously withdrawn claims and portions of claims, MPEP § 821.04, and to allow claims 61-129 to issue.

If the Examiner believes that a telephonic conversation would advance prosecution, she is invited to contact the undersigned at the number set forth below.

Respectfully submitted,

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